

REMARKS

Claims 1-12, 14-24, and 26-36 are pending in the application.

Claims 1-12, 14-24, and 26-36 have been rejected.

Claims 1, 15, 26, and 27 have been amended. Support for these amendments can be found, at least, in lines 29-30 of page 7 and lines 13-14 of page 10 of the specification. No new matter has been added.

Rejection of Claims under 35 U.S.C. § 103

Claims 1-12, 14-24, and 26-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Background of the Invention (Background) in of Kennedy, U.S. Patent No. 5,787,453. The applicants respectfully traverse this rejection.

The Background and Kennedy, taken alone or in combination, neither teach nor suggest a product rate calculation system including:

a database interface operable to request and receive product rate information from a database, the product rate information including at least one product rate expression; [and]

a product rate information cache storing product rate information received from the database,

as required by amended claim 1 and generally required by independent claims 15, 26, and 27.

In the most recent Final Office Action, mailed October 18, 2006, the Examiner equates "a web server or application having mathematical expressions and data encoded into the programming" with the "cache" of claim 1. Final Office Action, p. 4. In previous actions, the Examiner equated the database of Kennedy with both the database and the cache of claim 1.

As noted in previous responses and clarified by the amendments to the claim, the cache and database recited in claim 1 are distinct from each other. This is made clear by the fact that the cache stores information that has been received from the database.

Neither Kennedy's database (which clearly cannot anticipate both the database and the cache of amended claim 1, since these components are distinct from each other) nor the web server application allegedly described in the Background teaches or suggests such a cache. In particular, neither reference -- considered alone or in combination -- teaches or suggests a cache that stores information that has been received from a database.

Applicants note that the web server or application described in the Background contains expressions that have been encoded into the programming. Nothing in either reference teaches or suggests that such encoded expressions are first read from a database before being "stored" in the programming, nor is there any teaching or suggestion that such a modification would even be possible. Instead, it appears that manual modification of the programming would be necessary to cause the programming to allegedly "store" such expressions. Thus, the web server or application described in the Background clearly neither teaches nor suggests the cache of amended claim 1.


Accordingly, the applicants respectfully submit that independent claims 1, 15, 26, and 27 are allowable over the Background and Kennedy, taken alone or in combination. Claims 2-12 and 14 depend from claim 1 and are allowable for at least this reason. Claims 16-24 depend from claim 15 and are allowable for at least this reason. Claims 28-36 depend from claim 27 and are allowable for at least this reason.

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5087.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,


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